



Rep. Linda Chapa LaVia

Filed: 3/13/2008

09500HB4927ham002

LRB095 17165 RLC 48300 a

1 AMENDMENT TO HOUSE BILL 4927

2 AMENDMENT NO. _____. Amend House Bill 4927, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Children and Family Services Act is amended
6 by changing Section 35.2 as follows:

7 (20 ILCS 505/35.2) (from Ch. 23, par. 5035.2)

8 Sec. 35.2. If a child has been found to be an abused minor
9 under Section 4-8 of the Juvenile Court Act or Section 2-21 of
10 the Juvenile Court Act of 1987, and the perpetrator of the
11 abuse was the child's parent, and (i) such parent has been
12 convicted of aggravated battery of the child or (ii) such
13 parent has been convicted of aggravated participation in
14 methamphetamine manufacturing under subdivision (b)(1)(B) of
15 Section 15 of the Methamphetamine Control and Community
16 Protection Act and the child who has been found to be an abused

1 minor was the child who resided or was present at the place
2 where the methamphetamine was manufactured or who was
3 endangered by the manufacture of the methamphetamine, and the
4 child has been committed to the Department of Children and
5 Family Services for care and service under Section 5-7 of the
6 Juvenile Court Act or Section 2-27 of the Juvenile Court Act of
7 1987, the Department shall cause to be filed a petition seeking
8 the termination of such parent's parental rights pursuant to
9 "An Act in relation to the adoption of persons, and to repeal
10 an Act therein named", approved July 17, 1959, as amended, or
11 under Section 2-29 of the Juvenile Court Act of 1987, and the
12 Department shall also seek placement of the child with suitable
13 adoptive parents.

14 (Source: P.A. 86-403.)

15 Section 10. The Juvenile Court Act of 1987 is amended by
16 changing Section 1-2 as follows:

17 (705 ILCS 405/1-2) (from Ch. 37, par. 801-2)

18 Sec. 1-2. Purpose and policy.

19 (1) The purpose of this Act is to secure for each minor
20 subject hereto such care and guidance, preferably in his or her
21 own home, as will serve the safety and moral, emotional,
22 mental, and physical welfare of the minor and the best
23 interests of the community; to preserve and strengthen the
24 minor's family ties whenever possible, removing him or her from

1 the custody of his or her parents only when his or her safety
2 or welfare or the protection of the public cannot be adequately
3 safeguarded without removal; if the child is removed from the
4 custody of his or her parent, the Department of Children and
5 Family Services immediately shall consider concurrent
6 planning, as described in Section 5 of the Children and Family
7 Services Act so that permanency may occur at the earliest
8 opportunity; consideration should be given so that if
9 reunification fails or is delayed, the placement made is the
10 best available placement to provide permanency for the child;
11 and, when the minor is removed from his or her own family, to
12 secure for him or her custody, care and discipline as nearly as
13 possible equivalent to that which should be given by his or her
14 parents, and in cases where it should and can properly be done
15 to place the minor in a family home so that he or she may become
16 a member of the family by legal adoption or otherwise. Provided
17 that a ground for unfitness under the Adoption Act can be met,
18 it may be appropriate to expedite termination of parental
19 rights:

20 (a) when reasonable efforts are inappropriate, or have
21 been provided and were unsuccessful, and there are
22 aggravating circumstances including, but not limited to,
23 those cases in which (i) the child or another child of that
24 child's parent was (A) abandoned, (B) tortured, or (C)
25 chronically abused or (ii) the parent is criminally
26 convicted of (A) first degree murder or second degree

1 murder of any child, (B) attempt or conspiracy to commit
2 first degree murder or second degree murder of any child,
3 (C) solicitation to commit murder, solicitation to commit
4 murder for hire, solicitation to commit second degree
5 murder of any child, or aggravated assault in violation of
6 subdivision (a)(13) of Section 12-2 of the Criminal Code of
7 1961, ~~or~~ (D) aggravated criminal sexual assault in
8 violation of Section 12-14(b)(1) of the Criminal Code of
9 1961, or (E) aggravated participation in methamphetamine
10 manufacturing under subdivision (b)(1)(B) of Section 15 of
11 the Methamphetamine Control and Community Protection Act,
12 and the minor or another child of the minor's parent was
13 the child who resided or was present at the place where the
14 methamphetamine was manufactured or who was endangered by
15 the manufacture of the methamphetamine; or

16 (b) when the parental rights of a parent with respect
17 to another child of the parent have been involuntarily
18 terminated; or

19 (c) in those extreme cases in which the parent's
20 incapacity to care for the child, combined with an
21 extremely poor prognosis for treatment or rehabilitation,
22 justifies expedited termination of parental rights.

23 (2) In all proceedings under this Act the court may direct
24 the course thereof so as promptly to ascertain the
25 jurisdictional facts and fully to gather information bearing
26 upon the current condition and future welfare of persons

1 subject to this Act. This Act shall be administered in a spirit
2 of humane concern, not only for the rights of the parties, but
3 also for the fears and the limits of understanding of all who
4 appear before the court.

5 (3) In all procedures under this Act, the following shall
6 apply:

7 (a) The procedural rights assured to the minor shall be
8 the rights of adults unless specifically precluded by laws
9 which enhance the protection of such minors.

10 (b) Every child has a right to services necessary to
11 his or her safety and proper development, including health,
12 education and social services.

13 (c) The parents' right to the custody of their child
14 shall not prevail when the court determines that it is
15 contrary to the health, safety, and best interests of the
16 child.

17 (4) This Act shall be liberally construed to carry out the
18 foregoing purpose and policy.

19 (Source: P.A. 89-704, eff. 8-16-97 (changed from 1-1-98 by P.A.
20 90-443); 90-27, eff. 1-1-98; 90-28, eff. 1-1-98; 90-443, eff.
21 8-16-97; 90-608, eff. 6-30-98.)

22 Section 15. The Adoption Act is amended by changing Section
23 1 as follows:

24 (750 ILCS 50/1) (from Ch. 40, par. 1501)

1 Sec. 1. Definitions. When used in this Act, unless the
2 context otherwise requires:

3 A. "Child" means a person under legal age subject to
4 adoption under this Act.

5 B. "Related child" means a child subject to adoption where
6 either or both of the adopting parents stands in any of the
7 following relationships to the child by blood or marriage:
8 parent, grand-parent, brother, sister, step-parent,
9 step-grandparent, step-brother, step-sister, uncle, aunt,
10 great-uncle, great-aunt, or cousin of first degree. A child
11 whose parent has executed a final irrevocable consent to
12 adoption or a final irrevocable surrender for purposes of
13 adoption, or whose parent has had his or her parental rights
14 terminated, is not a related child to that person, unless the
15 consent is determined to be void or is void pursuant to
16 subsection O of Section 10.

17 C. "Agency" for the purpose of this Act means a public
18 child welfare agency or a licensed child welfare agency.

19 D. "Unfit person" means any person whom the court shall
20 find to be unfit to have a child, without regard to the
21 likelihood that the child will be placed for adoption. The
22 grounds of unfitness are any one or more of the following,
23 except that a person shall not be considered an unfit person
24 for the sole reason that the person has relinquished a child in
25 accordance with the Abandoned Newborn Infant Protection Act:

26 (a) Abandonment of the child.

1 (a-1) Abandonment of a newborn infant in a hospital.

2 (a-2) Abandonment of a newborn infant in any setting
3 where the evidence suggests that the parent intended to
4 relinquish his or her parental rights.

5 (b) Failure to maintain a reasonable degree of
6 interest, concern or responsibility as to the child's
7 welfare.

8 (c) Desertion of the child for more than 3 months next
9 preceding the commencement of the Adoption proceeding.

10 (d) Substantial neglect of the child if continuous or
11 repeated.

12 (d-1) Substantial neglect, if continuous or repeated,
13 of any child residing in the household which resulted in
14 the death of that child.

15 (e) Extreme or repeated cruelty to the child.

16 (f) There is a rebuttable presumption, which can be
17 overcome only by clear and convincing evidence, that a
18 parent is unfit if:

19 (1) Two or more findings of physical abuse have
20 been entered regarding any children under Section 2-21
21 of the Juvenile Court Act of 1987, the most recent of
22 which was determined by the juvenile court hearing the
23 matter to be supported by clear and convincing
24 evidence; or

25 (2) The parent has been convicted or found not
26 guilty by reason of insanity and the conviction or

1 finding resulted from the death of any child by
2 physical abuse; or

3 (3) There is a finding of physical child abuse
4 resulting from the death of any child under Section
5 2-21 of the Juvenile Court Act of 1987.

6 No conviction or finding of delinquency pursuant
7 to Article 5 of the Juvenile Court Act of 1987 shall be
8 considered a criminal conviction for the purpose of
9 applying any presumption under this item (f).

10 (g) Failure to protect the child from conditions within
11 his environment injurious to the child's welfare.

12 (h) Other neglect of, or misconduct toward the child;
13 provided that in making a finding of unfitness the court
14 hearing the adoption proceeding shall not be bound by any
15 previous finding, order or judgment affecting or
16 determining the rights of the parents toward the child
17 sought to be adopted in any other proceeding except such
18 proceedings terminating parental rights as shall be had
19 under either this Act, the Juvenile Court Act or the
20 Juvenile Court Act of 1987.

21 (i) Depravity. Conviction of any one of the following
22 crimes shall create a presumption that a parent is depraved
23 which can be overcome only by clear and convincing
24 evidence: (1) first degree murder in violation of paragraph
25 1 or 2 of subsection (a) of Section 9-1 of the Criminal
26 Code of 1961 or conviction of second degree murder in

1 violation of subsection (a) of Section 9-2 of the Criminal
2 Code of 1961 of a parent of the child to be adopted; (2)
3 first degree murder or second degree murder of any child in
4 violation of the Criminal Code of 1961; (3) attempt or
5 conspiracy to commit first degree murder or second degree
6 murder of any child in violation of the Criminal Code of
7 1961; (4) solicitation to commit murder of any child,
8 solicitation to commit murder of any child for hire, or
9 solicitation to commit second degree murder of any child in
10 violation of the Criminal Code of 1961; (5) predatory
11 criminal sexual assault of a child in violation of Section
12 12-14.1 of the Criminal Code of 1961; (6) heinous battery
13 of any child in violation of the Criminal Code of 1961; ~~or~~
14 (7) aggravated battery of any child in violation of the
15 Criminal Code of 1961; or (8) aggravated participation in
16 methamphetamine manufacturing in violation of subdivision
17 (b) (1) (B) of Section 15 of the Methamphetamine Control and
18 Community Protection Act, where any child resided or was
19 present at the place where the methamphetamine was
20 manufactured or was endangered by the manufacture of the
21 methamphetamine.

22 There is a rebuttable presumption that a parent is
23 deprived if the parent has been criminally convicted of at
24 least 3 felonies under the laws of this State or any other
25 state, or under federal law, or the criminal laws of any
26 United States territory; and at least one of these

1 convictions took place within 5 years of the filing of the
2 petition or motion seeking termination of parental rights.

3 There is a rebuttable presumption that a parent is
4 deprived if that parent has been criminally convicted of
5 either first or second degree murder of any person as
6 defined in the Criminal Code of 1961 within 10 years of the
7 filing date of the petition or motion to terminate parental
8 rights.

9 No conviction or finding of delinquency pursuant to
10 Article 5 of the Juvenile Court Act of 1987 shall be
11 considered a criminal conviction for the purpose of
12 applying any presumption under this item (i).

13 (j) Open and notorious adultery or fornication.

14 (j-1) (Blank).

15 (k) Habitual drunkenness or addiction to drugs, other
16 than those prescribed by a physician, for at least one year
17 immediately prior to the commencement of the unfitness
18 proceeding.

19 There is a rebuttable presumption that a parent is
20 unfit under this subsection with respect to any child to
21 which that parent gives birth where there is a confirmed
22 test result that at birth the child's blood, urine, or
23 meconium contained any amount of a controlled substance as
24 defined in subsection (f) of Section 102 of the Illinois
25 Controlled Substances Act or metabolites of such
26 substances, the presence of which in the newborn infant was

1 not the result of medical treatment administered to the
2 mother or the newborn infant; and the biological mother of
3 this child is the biological mother of at least one other
4 child who was adjudicated a neglected minor under
5 subsection (c) of Section 2-3 of the Juvenile Court Act of
6 1987.

7 (l) Failure to demonstrate a reasonable degree of
8 interest, concern or responsibility as to the welfare of a
9 new born child during the first 30 days after its birth.

10 (m) Failure by a parent (i) to make reasonable efforts
11 to correct the conditions that were the basis for the
12 removal of the child from the parent, or (ii) to make
13 reasonable progress toward the return of the child to the
14 parent within 9 months after an adjudication of neglected
15 or abused minor under Section 2-3 of the Juvenile Court Act
16 of 1987 or dependent minor under Section 2-4 of that Act,
17 or (iii) to make reasonable progress toward the return of
18 the child to the parent during any 9-month period after the
19 end of the initial 9-month period following the
20 adjudication of neglected or abused minor under Section 2-3
21 of the Juvenile Court Act of 1987 or dependent minor under
22 Section 2-4 of that Act. If a service plan has been
23 established as required under Section 8.2 of the Abused and
24 Neglected Child Reporting Act to correct the conditions
25 that were the basis for the removal of the child from the
26 parent and if those services were available, then, for

1 purposes of this Act, "failure to make reasonable progress
2 toward the return of the child to the parent" includes (I)
3 the parent's failure to substantially fulfill his or her
4 obligations under the service plan and correct the
5 conditions that brought the child into care within 9 months
6 after the adjudication under Section 2-3 or 2-4 of the
7 Juvenile Court Act of 1987 and (II) the parent's failure to
8 substantially fulfill his or her obligations under the
9 service plan and correct the conditions that brought the
10 child into care during any 9-month period after the end of
11 the initial 9-month period following the adjudication
12 under Section 2-3 or 2-4 of the Juvenile Court Act of 1987.
13 Notwithstanding any other provision, when a petition or
14 motion seeks to terminate parental rights on the basis of
15 item (iii) of this subsection (m), the petitioner shall
16 file with the court and serve on the parties a pleading
17 that specifies the 9-month period or periods relied on. The
18 pleading shall be filed and served on the parties no later
19 than 3 weeks before the date set by the court for closure
20 of discovery, and the allegations in the pleading shall be
21 treated as incorporated into the petition or motion.
22 Failure of a respondent to file a written denial of the
23 allegations in the pleading shall not be treated as an
24 admission that the allegations are true.

25 (m-1) Pursuant to the Juvenile Court Act of 1987, a
26 child has been in foster care for 15 months out of any 22

1 month period which begins on or after the effective date of
2 this amendatory Act of 1998 unless the child's parent can
3 prove by a preponderance of the evidence that it is more
4 likely than not that it will be in the best interests of
5 the child to be returned to the parent within 6 months of
6 the date on which a petition for termination of parental
7 rights is filed under the Juvenile Court Act of 1987. The
8 15 month time limit is tolled during any period for which
9 there is a court finding that the appointed custodian or
10 guardian failed to make reasonable efforts to reunify the
11 child with his or her family, provided that (i) the finding
12 of no reasonable efforts is made within 60 days of the
13 period when reasonable efforts were not made or (ii) the
14 parent filed a motion requesting a finding of no reasonable
15 efforts within 60 days of the period when reasonable
16 efforts were not made. For purposes of this subdivision
17 (m-1), the date of entering foster care is the earlier of:
18 (i) the date of a judicial finding at an adjudicatory
19 hearing that the child is an abused, neglected, or
20 dependent minor; or (ii) 60 days after the date on which
21 the child is removed from his or her parent, guardian, or
22 legal custodian.

23 (n) Evidence of intent to forgo his or her parental
24 rights, whether or not the child is a ward of the court,
25 (1) as manifested by his or her failure for a period of 12
26 months: (i) to visit the child, (ii) to communicate with

1 the child or agency, although able to do so and not
2 prevented from doing so by an agency or by court order, or
3 (iii) to maintain contact with or plan for the future of
4 the child, although physically able to do so, or (2) as
5 manifested by the father's failure, where he and the mother
6 of the child were unmarried to each other at the time of
7 the child's birth, (i) to commence legal proceedings to
8 establish his paternity under the Illinois Parentage Act of
9 1984 or the law of the jurisdiction of the child's birth
10 within 30 days of being informed, pursuant to Section 12a
11 of this Act, that he is the father or the likely father of
12 the child or, after being so informed where the child is
13 not yet born, within 30 days of the child's birth, or (ii)
14 to make a good faith effort to pay a reasonable amount of
15 the expenses related to the birth of the child and to
16 provide a reasonable amount for the financial support of
17 the child, the court to consider in its determination all
18 relevant circumstances, including the financial condition
19 of both parents; provided that the ground for termination
20 provided in this subparagraph (n)(2)(ii) shall only be
21 available where the petition is brought by the mother or
22 the husband of the mother.

23 Contact or communication by a parent with his or her
24 child that does not demonstrate affection and concern does
25 not constitute reasonable contact and planning under
26 subdivision (n). In the absence of evidence to the

1 contrary, the ability to visit, communicate, maintain
2 contact, pay expenses and plan for the future shall be
3 presumed. The subjective intent of the parent, whether
4 expressed or otherwise, unsupported by evidence of the
5 foregoing parental acts manifesting that intent, shall not
6 preclude a determination that the parent has intended to
7 forgo his or her parental rights. In making this
8 determination, the court may consider but shall not require
9 a showing of diligent efforts by an authorized agency to
10 encourage the parent to perform the acts specified in
11 subdivision (n).

12 It shall be an affirmative defense to any allegation
13 under paragraph (2) of this subsection that the father's
14 failure was due to circumstances beyond his control or to
15 impediments created by the mother or any other person
16 having legal custody. Proof of that fact need only be by a
17 preponderance of the evidence.

18 (o) Repeated or continuous failure by the parents,
19 although physically and financially able, to provide the
20 child with adequate food, clothing, or shelter.

21 (p) Inability to discharge parental responsibilities
22 supported by competent evidence from a psychiatrist,
23 licensed clinical social worker, or clinical psychologist
24 of mental impairment, mental illness or mental retardation
25 as defined in Section 1-116 of the Mental Health and
26 Developmental Disabilities Code, or developmental

1 disability as defined in Section 1-106 of that Code, and
2 there is sufficient justification to believe that the
3 inability to discharge parental responsibilities shall
4 extend beyond a reasonable time period. However, this
5 subdivision (p) shall not be construed so as to permit a
6 licensed clinical social worker to conduct any medical
7 diagnosis to determine mental illness or mental
8 impairment.

9 (q) (Blank).

10 (r) The child is in the temporary custody or
11 guardianship of the Department of Children and Family
12 Services, the parent is incarcerated as a result of
13 criminal conviction at the time the petition or motion for
14 termination of parental rights is filed, prior to
15 incarceration the parent had little or no contact with the
16 child or provided little or no support for the child, and
17 the parent's incarceration will prevent the parent from
18 discharging his or her parental responsibilities for the
19 child for a period in excess of 2 years after the filing of
20 the petition or motion for termination of parental rights.

21 (s) The child is in the temporary custody or
22 guardianship of the Department of Children and Family
23 Services, the parent is incarcerated at the time the
24 petition or motion for termination of parental rights is
25 filed, the parent has been repeatedly incarcerated as a
26 result of criminal convictions, and the parent's repeated

1 incarceration has prevented the parent from discharging
2 his or her parental responsibilities for the child.

3 (t) A finding that at birth the child's blood, urine,
4 or meconium contained any amount of a controlled substance
5 as defined in subsection (f) of Section 102 of the Illinois
6 Controlled Substances Act, or a metabolite of a controlled
7 substance, with the exception of controlled substances or
8 metabolites of such substances, the presence of which in
9 the newborn infant was the result of medical treatment
10 administered to the mother or the newborn infant, and that
11 the biological mother of this child is the biological
12 mother of at least one other child who was adjudicated a
13 neglected minor under subsection (c) of Section 2-3 of the
14 Juvenile Court Act of 1987, after which the biological
15 mother had the opportunity to enroll in and participate in
16 a clinically appropriate substance abuse counseling,
17 treatment, and rehabilitation program.

18 E. "Parent" means the father or mother of a lawful child of
19 the parties or child born out of wedlock. For the purpose of
20 this Act, a person who has executed a final and irrevocable
21 consent to adoption or a final and irrevocable surrender for
22 purposes of adoption, or whose parental rights have been
23 terminated by a court, is not a parent of the child who was the
24 subject of the consent or surrender, unless the consent is void
25 pursuant to subsection O of Section 10.

26 F. A person is available for adoption when the person is:

1 (a) a child who has been surrendered for adoption to an
2 agency and to whose adoption the agency has thereafter
3 consented;

4 (b) a child to whose adoption a person authorized by
5 law, other than his parents, has consented, or to whose
6 adoption no consent is required pursuant to Section 8 of
7 this Act;

8 (c) a child who is in the custody of persons who intend
9 to adopt him through placement made by his parents;

10 (c-1) a child for whom a parent has signed a specific
11 consent pursuant to subsection O of Section 10;

12 (d) an adult who meets the conditions set forth in
13 Section 3 of this Act; or

14 (e) a child who has been relinquished as defined in
15 Section 10 of the Abandoned Newborn Infant Protection Act.

16 A person who would otherwise be available for adoption
17 shall not be deemed unavailable for adoption solely by reason
18 of his or her death.

19 G. The singular includes the plural and the plural includes
20 the singular and the "male" includes the "female", as the
21 context of this Act may require.

22 H. "Adoption disruption" occurs when an adoptive placement
23 does not prove successful and it becomes necessary for the
24 child to be removed from placement before the adoption is
25 finalized.

26 I. "Foreign placing agency" is an agency or individual

1 operating in a country or territory outside the United States
2 that is authorized by its country to place children for
3 adoption either directly with families in the United States or
4 through United States based international agencies.

5 J. "Immediate relatives" means the biological parents, the
6 parents of the biological parents and siblings of the
7 biological parents.

8 K. "Intercountry adoption" is a process by which a child
9 from a country other than the United States is adopted.

10 L. "Intercountry Adoption Coordinator" is a staff person of
11 the Department of Children and Family Services appointed by the
12 Director to coordinate the provision of services by the public
13 and private sector to prospective parents of foreign-born
14 children.

15 M. "Interstate Compact on the Placement of Children" is a
16 law enacted by most states for the purpose of establishing
17 uniform procedures for handling the interstate placement of
18 children in foster homes, adoptive homes, or other child care
19 facilities.

20 N. "Non-Compact state" means a state that has not enacted
21 the Interstate Compact on the Placement of Children.

22 O. "Preadoption requirements" are any conditions
23 established by the laws or regulations of the Federal
24 Government or of each state that must be met prior to the
25 placement of a child in an adoptive home.

26 P. "Abused child" means a child whose parent or immediate

1 family member, or any person responsible for the child's
2 welfare, or any individual residing in the same home as the
3 child, or a paramour of the child's parent:

4 (a) inflicts, causes to be inflicted, or allows to be
5 inflicted upon the child physical injury, by other than
6 accidental means, that causes death, disfigurement,
7 impairment of physical or emotional health, or loss or
8 impairment of any bodily function;

9 (b) creates a substantial risk of physical injury to
10 the child by other than accidental means which would be
11 likely to cause death, disfigurement, impairment of
12 physical or emotional health, or loss or impairment of any
13 bodily function;

14 (c) commits or allows to be committed any sex offense
15 against the child, as sex offenses are defined in the
16 Criminal Code of 1961 and extending those definitions of
17 sex offenses to include children under 18 years of age;

18 (d) commits or allows to be committed an act or acts of
19 torture upon the child; ~~or~~

20 (e) inflicts excessive corporal punishment; or

21 (f) commits or allows to be committed aggravated
22 participation in methamphetamine manufacturing in
23 violation of subdivision (b)(1)(B) of Section 15 of the
24 Methamphetamine Control and Community Protection Act,
25 where the child was the child who resided or was present at
26 the place where the methamphetamine was manufactured or who

1 was endangered by the manufacture of the methamphetamine.

2 Q. "Neglected child" means any child whose parent or other
3 person responsible for the child's welfare withholds or denies
4 nourishment or medically indicated treatment including food or
5 care denied solely on the basis of the present or anticipated
6 mental or physical impairment as determined by a physician
7 acting alone or in consultation with other physicians or
8 otherwise does not provide the proper or necessary support,
9 education as required by law, or medical or other remedial care
10 recognized under State law as necessary for a child's
11 well-being, or other care necessary for his or her well-being,
12 including adequate food, clothing and shelter; or who is
13 abandoned by his or her parents or other person responsible for
14 the child's welfare.

15 A child shall not be considered neglected or abused for the
16 sole reason that the child's parent or other person responsible
17 for his or her welfare depends upon spiritual means through
18 prayer alone for the treatment or cure of disease or remedial
19 care as provided under Section 4 of the Abused and Neglected
20 Child Reporting Act. A child shall not be considered neglected
21 or abused for the sole reason that the child's parent or other
22 person responsible for the child's welfare failed to vaccinate,
23 delayed vaccination, or refused vaccination for the child due
24 to a waiver on religious or medical grounds as permitted by
25 law.

26 R. "Putative father" means a man who may be a child's

1 father, but who (1) is not married to the child's mother on or
2 before the date that the child was or is to be born and (2) has
3 not established paternity of the child in a court proceeding
4 before the filing of a petition for the adoption of the child.
5 The term includes a male who is less than 18 years of age.
6 "Putative father" does not mean a man who is the child's father
7 as a result of criminal sexual abuse or assault as defined
8 under Article 12 of the Criminal Code of 1961.

9 S. "Standby adoption" means an adoption in which a parent
10 consents to custody and termination of parental rights to
11 become effective upon the occurrence of a future event, which
12 is either the death of the parent or the request of the parent
13 for the entry of a final judgment of adoption.

14 T. (Blank).

15 (Source: P.A. 93-732, eff. 1-1-05; 94-229, eff. 1-1-06; 94-563,
16 eff. 1-1-06; 94-939, eff. 1-1-07.)".